THE HON'BLE SMT JUSTICE T.MEENA KUMARI

&

THE HON'BLE SRI JUSTICE K.C. BHANU

WRIT PETITION NO : 22559 of 2005

Dated: 24.10.2005

Between:

Asiya Nusrath, W/o. Shaik Majeed, R/o. H.No. 8-14-144/9, Shastripuram, Ranga Reddy District.

..... PETITIONER

AND

1 The Inspector of Police, Central Crime Station, Hyderabad and others.

..Respondents

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ORDER: (Per the Hon'ble Smt Justice T.Meena Kumari)

This is a taken up case on the Telegram issued by the petitioner seeking a direction to the respondents to call for the records and remarks from the respondents relating to harassment of the petitioner by the Police Personnel of Central Crime Station, Hyderabad, by forcibly taking her away to CCS and detaining her from 10-00 AM to 10.30 P.M on 5.10.2005.

Controverting the allegations made in the petition, the 1st respondent filed a counter-affidavit, wherein it has been stated that the petitioner's husband is an accused in Cr.No.338 of 2002 of Malakpet Police Station. But he was absconding since January, 2004. In connection with the same, the respondents caused enquiries with the petitioner as to the whereabouts of her husband in the presence of her brother at her residence itself. It is further stated that neither himself nor his staff ever harassed the petitioner and the petitioner was not taken to the Central Crime Station, Hyderabad at any point of time.

In view of the fact that the husband of the petitioner was an accused in the crime in question, we feel that the Investigating Officer ought to have taken his own recourse to trace out him instead of making inconvenience to the family members. Therefore, in the facts and circumstances of the case, it is a fit case where a direction can be issued to the police personnel, not to interfere with the life and liberty of the petitioner, without following the due process of law.

Subject to the aforesaid direction, the writ petition is disposed of.

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JUSTICE T.MEENA KUMARI

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JUSTICE K.C.BHANU

24.10.2005

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